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ATTORNEYS FOR GREAT WESTERN BANK, A  
BANK CHARTERED UNDER THE LAWS OF THE  
STATE OF SOUTH DAKOTA, SUCCESSOR IN  
INTEREST TO THE LOANS OF TIERONE BANK,  
A FEDERALLY CHARTERED SAVINGS BANK,  
BY ACQUISITION OF ASSETS FROM THE FDIC  
AS RECEIVER OF TIERONE BANK, WHICH WAS  
CLOSED BY THE OFFICE OF THRIFT  
SUPERVISION ON JUNE 4, 2010

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ATTORNEYS FOR BRANCH BANKING AND  
TRUST COMPANY, A NORTH CAROLINA  
STATE BANK ASSOCIATION, SUCCESSOR IN  
INTEREST TO COLONIAL BANK F/K/A  
COLONIAL BANK, N.A. BY ACQUISITION OF  
ASSETS FROM THE FDIC AS RECEIVER FOR  
COLONIAL BANK

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**IN RE:**

**DLH MASTER LAND HOLDING, LLC,  
ALLEN CAPITAL PARTNERS, LLC,  
RICHARD S. ALLEN, INC. and  
RICHARD S. ALLEN,**

**Debtors.**

§  
§ **Chapter 11 Case**  
§  
§ **Case No. 10-30561-HDH-11**  
§  
§  
§  
§

**NOTICE OF APPROVAL OF THE GREAT WESTERN BANK  
SETTLEMENT AGREEMENT BY THE FDIC AND BB&T**

**COMES NOW** Great Western Bank, a bank chartered under the laws of the State of  
South Dakota, successor in interest to the loans of TierOne Bank, a federally chartered savings

bank, by acquisition of assets from the FDIC as Receiver of TierOne Bank, which was closed by the Office of Thrift Supervision on June 4, 2010 (“Great Western”) and Branch Banking and Trust Company, A North Carolina State Bank Association, Successor in Interest to Colonial Bank f/k/a Colonial Bank, N.A. by Acquisition of Assets from the FDIC as Receiver for Colonial Bank (“BB&T”) and file this Notice of Approval of the Great Western Bank Settlement Agreement by the FDIC and BB&T, and in support hereof would show the Court as follows.

1. After notice and a hearing, this Court entered that certain “Order Approving Settlement by and between Debtors, Great Western Bank and BB&T” (the “Settlement Order”) on November 16, 2010 (Dkt. No. 665).

2. **PLEASE BE ADVISED** that pursuant to the terms of the Settlement Order, including paragraph 1.3 thereof, the Federal Deposit Insurance Corporation and the management of BB&T have approved the execution of the settlement agreement by Great Western and BB&T, respectively.

Respectfully submitted

By: /s/ Micheal W. Bishop  
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IN INTEREST TO THE LOANS OF TIERONE  
BANK, A FEDERALLY CHARTERED SAVINGS  
BANK, BY ACQUISITION OF ASSETS FROM  
THE FDIC AS RECEIVER OF TIERONE  
BANK, WHICH WAS CLOSED BY THE OFFICE  
OF THRIFT SUPERVISION ON JUNE 4, 2010**

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IN INTEREST TO COLONIAL BANK F/K/A  
COLONIAL BANK, N.A. BY ACQUISITION OF  
ASSETS FROM THE FDIC AS RECEIVER FOR  
COLONIAL BANK**

### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing “Notice of Approval of the Settlement Agreement by the FDIC and BB&T” has been electronically filed in the case with the Clerk of the United States Bankruptcy Court by using the CM/ECF system, a copy was served on the parties who receive notice via the Court’s ECF notification system and via electronic transmission to the persons listed below on this the 6<sup>th</sup> day of January, 2011.

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/s/ Micheal W. Bishop

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